IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 6TH JUNE 2007 / 16TH JYAISHTA 1929

OP.No. 2423 of 2001(L)

PETITIONER:

M.K. MUHAMMEDKUTTY, S/O. SAIDALI,
KALATHIL HOUSE, KERALADHEESWARAPURAM.P.O.,
VIA. TANALUR, MALAPPURAM DISTRICT,
REPRESENTED BY HIS POWER-OF-ATTORNEY HOLDER
NADUVIL NALAKATH KOYASSAN, SON OF MOOSANKUTTY,
RAYIRIMANGALAM AMSOM AND DESAM, POST TANUR,
MALAPPURAM DISTRICT.

BY ADV. SRI.V.G.ARUN.

RESPONDENTS:

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1. **THE DIRECTOR OF PUBLIC INSTRUCTIONS,**
   OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTIONS,
   JAGATHY, THIRUVANANTHAPURAM.

2. **THE STATE OF KERALA, REPRESENTED BY THE**
   SECRETARY, GENERAL EDUCATION DEPARTMENT,
   THIRUVANANTHAPURAM.

3. **THE DISTRICT EDUCATIONAL OFFICER,**
   TIRUR, MALAPPURAM.

4. **E. SANTHAKUMARI, HEADMISTRESS,**
   NAYANAR MEMORIAL A.L.P. SCHOOL,
   KERALADHESWARAPURAM.P.O., TIRUR,
   MALAPPURAM DISTRICT.

O.P. NO. 2423/2001:

5. THE DISTRICT COLLECTOR,
MALAPPURAM.

BY ADV. SRI.T.KRISHNAN UNNI,
GOVT. PLEADER SMT. K.R. DEEPA.

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 06/06/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P. NOS. 4023/2001 & 18051/2002 IN O.P. NO. 2423/2001

DISMISSED

06/06/2007. **SD/- KURIAN JOSEPH, JUDGE.**

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE GOVERNMENT ORDER NO. G.O. (RT).3261/89/G. EDN. DTD. 23/10/1989 OF GENERAL EDUCATION (F) DEPARTMENT.

EXT.P.2: COPY OF THE LETTER ISSUED BY CHOYI TO THE MINISTER FOR EDUCATION ON 30/09/1994.

EXT.P.3: COPY OF THE REPRESENTATION DTD. 13/03/1995 FILED BY THE PETITIONER BEFORE THE R.2.

EXT.P.4: COPY OF THE COMMUNICATION DTD. 28/05/1995 ISSUED BY THE R.2. TO THE DY. DIRECTOR OF EDUCATION, MALAPPURAM.

EXT.P.5: COPY OF THE RESOLUTION OF THE TANALUR GRAMA PANCHAYATH DTD. 07/09/1998.

EXT.P.6: COPY OF THE G.O. NO. 5019/2000/G. EDN. DTD. 07/12/2000 OF THE GOVERNMENT OF KERALA.

EXT.P.7: COPY OF THE PROPOSAL DTD. 24/09/1986 GIVEN BY THE ASST. EDUCATIONAL OFFICER TO THE HEADMASTER OF THE SCHOOL.

EXT.P.8: COPY OF THE STATEMENT OF RENT, CERTIFICATE AND CONSENT LETTER DTD. 21/02/1997 OF THE PETITIONER.

RESPONDENT'S EXHIBITS:

EXT.R4.A: COPY OF THE RENT RECEIPTS ISSUED IN FAVOUR SCHOOL PREMISES FOR THE PAYMENT OF RENT.

EXT.R4.B: COPY OF THE RENT RECEIPS ISSUED IN FAVOUR SCHOOL PREMISES FOR THE PAYMENT OF RENT.

W.P.(C). NO. 2423/2001:

EXT.R4.C: COPY OF THE RENT RECEIPTS ISSUED IN FAVOUR SCHOOL PREMISES FOR THE PAYMENT OF RENT.

EXT.R4.D: COPY OF THE RENT RECEIPTS ISSUED IN FAVOUR SCHOOL PREMISES FOR THE PAYMENT OF RENT.

EXT.R4.E: COPY OF THE RENT RECEIPS ISSUED IN FAVOUR SCHOOL PREMISES FOR THE PAYMENT OF RENT.

EXT.R4.F: COPY OF THE RENT RECEIPTS ISSUED IN FAVOUR SCHOOL PREMISES FOR THE PAYMENT OF RENT.

EXT.R4.G: COPY OF THE RENT RECEIPTS ISSUED IN FAVOUR SCHOOL PREMISES FOR THE PAYMENT OF RENT.

EXT.R4.H: COPY OF THE PARTITION DEED DTD. 23/10/1982.

EXT.R4.I: COPY OF THE MAHAZAR PREPARED AT THE TIME OF HANDING OVER THE SCHOOL.

//TRUE COPY//

prv.

KURIAN JOSEPH, J.

O.P.No.2423 of 2001

Dated this the 6th day of June, 2007

JUDGMENT

In the matter of dispute on management of the school it is submitted that in case the petitioner has still any grievance, liberty may be reserved to the petitioner to work out the same in appropriate proceedings. Ordered accordingly.

The writ petition is disposed of as above.

(KURIAN JOSEPH, JUDGE)

ahg.

KURIAN JOSEPH, J.

O.P.NO.2423/2001

JUDGMENT

6th June, 2007